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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,434	10/30/2001	Hidekazu Tanigawa	NAK1-AP28c	7928

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EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/016,434	Applicant(s) TANIGAWA ET AL.	
	Examiner Annan Q. Shang	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 37-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/01, 3/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drawings must be shown or the feature(s), such as: the claimed "first graphical picture generation means," "second graphical picture generation means," "interactive manipulation means," and other processing elements not clearly illustrated in the drawings, or be canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 37-47 are rejected under 35 U.S.C. 102(b) as being anticipated by **Young et al (5,479,268)**.

As to claim 37, note the **Young** references figures 1-13 and 2A-22b, discloses user interface for TV Schedule system and further discloses a program receiver for displaying a graphical interactive picture by receiving a program transmitted from a program transmitter, the program receiver comprising:

Signal receipt means (Programmable TV Tuner/Cable Decoder 'TVT/CD' 202) for receiving for receiving a signal transmitted from the program transmitter (figs.22A-22B and col.12, lines 53-66), the signal being a multiplex signal including a program and data specifying a structure of the graphical interactive picture 'GIP' (interactive TV schedule or guide, col. 12, line 53-col.13, line 2);

Signal separation means (Cable Decoder Unit 'CDU') for separating the signal received by the signal receipt means into a program signal and a GIP-structure specification data signal (col. 12, line 53-col.13, line 2);

First graphical interactive picture generation means (Video Display Generator 'VDG' 224) for generating the GIP based on the GIP-structure specification data signal from the signal separation means (col.13, lines 9-13); and

Display means (TV/Monitor 210) for displaying the GIP generated by the first GIP generations means (col.13, lines 9-13), note that CPU-228 retrieves interactive TV listing stored in Memory 232, receives a user interaction to specific cells of the guide using Cursor 32 or Remote Controller 'RC' 212 and controls VDG-224 to display on TV/Monitor 210 various graphical data based on the user interaction.

As to claim 38, Young further discloses storage means (Memory 232) for storing a plurality of basic picture elements in advance, the plurality of basic picture elements being figures composing the GIP manipulated by a user and the basic picture elements being identified by identifiers, and first GIP generating means for generating the GIP by combining the basic picture elements stored in the storage means (figs.1-7 and col.4, lines 37-col.5, line 14, lines 26-42, col.6, line 16-col.7, line 22).

As to claim 39, further discloses interactive manipulation means for inputting manipulation to the GIP displayed by the display means;

Basic action storage means (CPU/VDG 228/224) for storing a content of an action for updating the GIP-structure specification data; and second GIP generation means for retrieving the content of the action from and basic action storage means based on action information directing an update of the GIP upon receipt of the input manipulation from the interactive manipulation means to update the GIP-structure

specification data to generate an updated GIP (col.4, lines 37-col.5, line 14, lines 26-42, col.6, line 16-col.7, line 22).

As to claim 40, further discloses where the first GIP generation means includes: a receipt decode unit (CDU) for receiving the GIP-structure specification data signal from the signal separation means to decode the same, a storage unit (Mem-232) for storing decoded GIP-structure specification 'GIPSS' data from the receipt decode unit, the GIPSS data being composed of a panel object definition including a plurality of pieces of panel object information, and a shape definition including a plurality of pieces of shape information, a first process unit for retrieving the GIPSS data from the storage unit, extracting the basic picture elements corresponding to the identifier by referring to the shape information from the storage unit in accordance with the retrieved GIPSS data, and for placing the extracted basic picture elements by referring to the panel object information, and first display control unit for controlling the display means to display the basic picture elements placed by first process unit as the GIP (col.4, lines 37-col.5, line 14, lines 26-42, col.6, line 16-col.7, line 22 and line 58-col.8, line 10).

As to claim 41, further the interactive manipulation means includes; an input manipulation acceptance unit (CPU-228) for accepting a user's input (via RC-212 or Cursor 32 and Infrared Receiver 264, col.7, line 24-col.8, line 10 and col.13, lines 25-61), manipulation to the GIP, and an interactive signal transmission unit for transmitting the input manipulation accepted by the manipulation acceptance unit to the second GIP generation unit as an interactive signal and where the second GIP generation means includes: an interactive signal receipt unit for receiving the interactive signal from the

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interactive signal transmission unit, an interactive signal interpretation unit (CPU-228) for interpreting the interactive signal receipt unit; a GIPSS data update unit (CPU-228) for retrieving a content of action from the basic action storage means in accordance with the interactive signal interpreted by the interactive signal interpretation unit to update the GIPSS data in the storage unit (col.12, line 62-col.13, line 13), a second process unit for retrieving updated GIPSS data from the storage unit and for extracting the basic picture elements corresponding to the identifier from the storage to place the extracted display elements, and second display controlling the display means to display the basic picture elements placed by the second process unit as an updated GIP (col.7, lines 24-col.8, line 9, col.11, line 45-col.12, line 22 and col.12, line 62-col.13, line 54).

As to claim 42-43, Young further discloses information transmission means for transmitting the data of the GIP updated by the interactive manipulation means to the program transmitter (col.11, line 45-col.12, line 22 and col.14, lines 15-20).

As to claims 44-45, Young further discloses information record means for outputting data related to the GIP as per manipulation form the interactive manipulation means to make a record (col.11, line 45-col.12, line 22 and col.13, line 14-col.14, line 14).

As to claim 46, Young further discloses where the GIPSS data further includes a class definition including a plurality of pieces of class attribute (col.10, line 21-col.11, line 32).

Claim 47 is met as previously discussed with respect to claim 41.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Banker et al (5,477,262) disclose method and apparatus for providing an on-screen user interface for a subscription terminal.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**.



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